

REMARKS

In response to the requirement for restriction, the Applicant has cancelled those claims which the Examiner indicated as being separate and distinct from the remaining claims, subject to the Applicant's right to file one or more divisional applications including such claims.

In the initial Office Action, the Examiner rejected the remaining claims under 35 U.S.C. 102 as being anticipated by Bergeron. The Applicant respectfully transgresses the Examiner's rejection of the remaining claims on the basis that Bergeron and Applicant do not have the same invention. To constitute an anticipation, all the claimed elements must be found in exactly the same situation and united in the same way to perform the identical function in a single unit of the prior art. (American Seating Co. v. National Seating Co., 199 USPQ 257). Bergeron does not meet this requirement because Applicants' invention is directed to creating characters, whereas, Bergeron is directed to creating patterns.

Despite the Applicant's claims having been rejected under 35 U.S.C. 102, in the interest of saving time the Applicant will address the question of obviousness relative to the Bergeron reference. The first question that arises is what is the Applicant's invention and what is the teaching of Bergeron. Neither one has invented the concept of producing multiple dot sizes. In the parent application of this instant application the Applicant's brought to the attention of the Patent and Trademark Office an article entitled "Technology of Asynchronous Ink Jet Printing" by William E. Koebiltz which appeared in the Society of Photographic Scientists and Engineers in 1974, a copy of which is enclosed for the Examiner's convenience. It will be noted that the production of dots of different sizes is discussed and these dots are used for the purpose of obtaining a range of reflection density. What the Applicant has conceived is controlling dot size for the purpose of obtaining characters with edges having a smoother appearance. Bergeron has done just the opposite. He has taken a chain printer of the impact type, which is known for giving high printing resolution, and has converted it into a matrix type printer which has the characteristic of providing low resolution. Furthermore, he has converted the chain printer from one that prints characters, or text, to one

that may be utilized to form patterns, or shapes. In order to produce a range of reflective density, much as the Koebiltz article, Bergeron teaches varying the dot size within a cell.

Because Bergeron confines his dot size within a specific cell he cannot produce characters having the appearance of smooth edges. Throughout the specification, the Applicant teaches that the dot sizes should be intermixed, see page 3, lines 2-5 and page 7 lines 18-20. The Examiner's attention is also directed to Figs. 4a-c and Fig. 5 wherein an illustration is given as to how characters with smooth edges may be obtained. It is noted that the spots of various sizes are intermeshed or intermixed with one another. It is respectfully submitted that one reading the Bergeron reference would not be led to the Applicant's invention, and in fact, Bergeron teaches away from Applicant invention to the extent that he specifically teaches that the dots within each cell should be contained within the borders of such cell and supports such a teaching in his drawing.

All of the Applicant's remaining claims in one way or another cover the concept of producing characters with smooth edges by varying the dot size. As was stated previously, varying the dot size is known in the art and has been known since at least 1974 when the enclosed article was published. The concept of using such variations of dot size to produce characters with smooth edges has not occurred to those skilled in the art and, in fact, many other schemes, as indicated in the specifications Background of the Invention, have been used. Applicants have conceived a simple and convenient manner of obtaining high quality printing in a way that was not obvious to those in the field.

In view of the above amendments and comments this application is deemed in condition for allowance and such allowance is respectfully requested.

Respectfully submitted,



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42